

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
)	
v.)	Case No. 03-cr-10368-RCL
)	
)	
DEREK FRAZIER)	
_____)	

JOINT MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and the defendant, by and through his attorney, James Budreau, Esq., jointly move, pursuant to 18 U.S.C. §§3161 (h)(1)(f) and (h)(8)(A), to exclude the period of time commencing on March 23, 2004, and ending on May 5, 2004. As grounds therefor, the parties state that the defendant has filed a motion to dismiss in this matter, and that motion has not yet been heard by the Court.

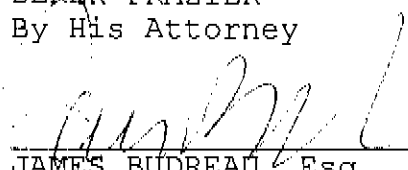
5/5/04 *[Signature]*, m.j. allowed

FILED
In Open Court
USDC, Mass.
Date 5-5-04
By *[Signature]*
Deputy Clerk

WHEREFORE, both parties respectfully request, under 18 U.S.C. §§3161 (h)(1)(F) and (h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusions outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

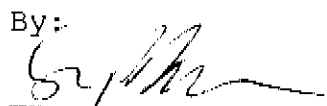
Respectfully Submitted,

DEREK FRAZIER
By His Attorney



JAMES BUDREAU, Esq.

MICHAEL J. SULLIVAN
United States Attorney
By:



SETH P. BERMAN
Assistant U.S. Attorney
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May 5, 2004